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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/519,732	12/28/2004	Elco Nicodem	P14095-USI	5126
27045	7590	10/06/2006	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR C11 PLANO, TX 75024			PATEL, HEMANT SHANTILAL	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/519,732	<b>Applicant(s)</b> NICODEM, EELCO	
	<b>Examiner</b> Hemant Patel	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 20-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. The Applicant Response dated August 15, 2006 to an Office Action dated May 17, 2006 is entered. Claims 20-33 are pending in this application.
2. The Applicant Response has indicated the Examiner name incorrectly. The first name and middle name of the Examiner are reversed. The Applicant is advised to correct it in the future communication with this Office.

### ***Response to Amendment***

3. Applicant's arguments with respect to claims 20-33 have been considered but are moot in view of the new ground(s) of rejection. The rejections are necessitated due to claim amendments.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 20-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee (US Patent No. 6,161,008).

***Regarding claims 20, 27,*** Lee discloses a method of delivering a message using at least one telecommunications network, wherein a user has access to a plurality of telecommunications services, which telecommunications services are provided to the

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user via said at least one network and are accessed by the user using one or more user access devices (Fig. 1), said method comprising the steps of:

receiving a service-related event related to said message at a server (col. 15, ll. 19-38, receiving email message related service-event of retrieving TID from a PID at a PMDNS server);

determining whether said user subscribes to a messaging service at said server (PMDNS server querying the database for record based on a given subscriber's PID determines subscription i.e. if a record is found, the user has subscribed).

selecting a target access device from said user access devices based on results of a use-analysis of any of said telecommunications services (col. 21, ll. 31-34, use-analysis of user's current service with two destinations at PMDNS server) and said user access devices at said server(col. 21, ll. 41-43, using two selected destinations in sequence given by PMDNS server) whenever said user subscribes to said messaging service (col. 13, ll. 65-66, user subscribes to PMDNS service through ISP; and col. 15, ll. 19-38, uses it to send and receive email message), said selecting of a target access device being further based on an analysis of operational capabilities of said user access device in dependence of said message content (col. 6, ll. 51-55), wherein said message is delivered at said selected target access device by converting at least a part of said message content to a format which is dependent on said selected target access device (col. 8, ll. 57-62; col. 21, ll. 25-42, a call from computer to cellular phone requiring conversion from H.323 format to cellular air transmission format).

**Regarding claims 21, 28,** Lee discloses a method, wherein operation of at least one of said telecommunications services invokes at least one service-related event (col. 21, ll. 31-33, PMDNS user application queries PMDNS application server with PID), and wherein said at least one service-related event is used as an input to said use-analysis of any of said telecommunications services and said user access devices (co. 21, ll. 33-43, PMDNS server returns TIDs with instruction to use them sequentially after use-analysis of service and devices).

**Regarding claim 22,** Lee discloses a method, wherein a personal identification by said user, such as a personal identification for use of banking services or public transportation, is used as an input to said use-analysis of any of said telecommunications services and said user access devices (Fig. 4, PID, i.e. TOM, RPETTY, BSMITH are names of subscribers; just as names are used in banking and public transportation services for identification).

**Regarding claims 23, 29,** Lee discloses a method, further comprising the step of keeping a history of results of said use-analysis of any of said telecommunications services and said user access devices, and wherein delivery of said message is based on said history (col. 8, ll. 63-col. 9, ll. 60, ll. 20).

**Regarding claims 24, 30,** Lee discloses a method, wherein said step of selecting a target access device is further dependent on an operational mode of any of said user access devices (col. 9, ll. 21-29).

**Regarding claims 25, 31,** Lee discloses a method, wherein delivering of said message further depends on preferences of the user for receiving any of said plurality of services (col. 8, ll. 46-49).

**Regarding claims 26, 32,** Lee discloses a method, wherein delivering of said message comprises the step of triggering a further message to said target access device (col. 21, ll. 45-47, gateway converts H.323 voice packets to over the air transmission format for cellular phone).

**Regarding claim 33,** Lee discloses a means for providing an indication of a user's whereabouts based on result of said use-analysis of any of said telecommunications services and said user access devices (col. 20, ll. 57-col. 21, ll. 1).

### **Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 5,493,692	Theimer	
US Patent No. 5,742,905	Pepe	
US Patent No. 5,742,668	Pepe	
US Patent No. 5,812,865	Theimer	
US Patent Application Publication No. 2002/0035617	Lynch	

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

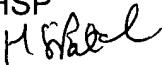
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hemant Patel whose telephone number is 571-272-8620. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hemant Patel  
Examiner  
Art Unit 2614

HSP  


  
FAN TSANG  
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